

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN**

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JOSHUA FLECHA and LUIS ACEVEDO,

Plaintiffs,

v.

METAL SYSTEMS, LLC and

Case No. 16-CV-800

PIONEER ROOFING, LLC,

Defendants.

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**MOTION FOR SUMMARY JUDGMENT**

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Pursuant to Federal Rule of Civil Procedure 56, Pioneer Roofing, LLC (“Pioneer”) moves for summary judgment in its favor and against Plaintiffs Joshua Flecha and Luis Acevedo on all of Plaintiffs’ claims. The grounds for this motion are that the undisputed facts show that Pioneer did not employ Plaintiffs or any other Metal Systems employees either directly or through a joint employment relationship, and therefore Pioneer is not liable to Plaintiffs for their wage and hour claims under the Fair Labor Standards Act or Wisconsin law.

This motion is supported by the Declarations of Mark Staven, John Boettcher, Terry Keeser, Chad Phelps, Brian Monogue, and Pete Nicholas, and exhibits thereto; the Proposed Findings of Fact of Pioneer Roofing, LLC in Support of its Motion for Summary Judgment; and the Brief of Pioneer Roofing, LLC in Support of its Motion for Summary Judgment, filed contemporaneously herewith.

Dated this 16<sup>th</sup> day of June, 2017.

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